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**PATENT**  
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Alexandria, VA 22313-1450

On 4/21/04

TOWNSEND and TOWNSEND and CREW LLP

By: 

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

DEMPCY *et al.*

Application No.: 10/672,429

Filed: September 26, 2003

For: Tm LEVELING METHODS

Confirmation No. 1810

Examiner: Not yet assigned

Art Unit: 1623

COMMUNICATION UNDER

37 C.F.R. § 1.821(e)

AND

PRELIMINARY AMENDMENT

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Sir:

In response to the request to comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, 37 C.F.R. §§ 1.821-1.825, that accompanied the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, 37 C.F.R. §§ 1.821-1.825 mailed March 26, 2004, Applicants submit that the computer-readable form in the instant application is identical with the Sequence Listing filed in Application No. 10/032,307, submitted January 22, 2003. In accordance with 37 C.F.R. § 1.821(e), please use the last-filed computer-

Appl. No. 10/672,429  
Amdt. dated April 21, 2004  
Reply to Notice to Comply of March 26, 2004

PATENT

readable form filed in Application No. 10/032,307 as the computer-readable form for the instant application. A paper copy of the Sequence Listing from Application No. 10/032,307 is submitted herewith. The information in the paper copy of the Sequence Listing is identical to that which is in the computer readable form submitted on January 8, 2003, as required under 37 C.F.R. § 1.821(f).

It is understood that the Patent and Trademark Office will make the necessary changes in application number and filing date for the computer-readable form that will be used for the instant application.

Please amend the specification in adherence with 37 C.F.R. §§ 1.821-1.825 as follows.

**Amendments to the Specification** begin on page 3 of this paper.

**Remarks** begin on page 4 of this paper.